

DRAFT POST-CLOSURE PERMIT MODIFICATION (CLASS 3)

EPA I.D. Number: PRD980594709

Effective Date: Draft
Expiration Date: Draft

Permittee: Municipality of Ponce and Browning-Ferris
Industries Inc.
Road # 500, Final La Cotorra
Ponce, Puerto Rico

This post-closure permit modification (Class 3) is issued by the United States Environmental Protection Agency ("EPA" or "Agency") under the authority of the Resource Conservation and Recovery Act of 1976 ("RCRA"), Subtitle C, as amended by the Hazardous and Solid Waste Amendments of 1984 ("HSWA"), 42 U.S.C. §§ 6921-6931, and EPA regulations promulgated pursuant thereto, to the Municipality of Ponce and Browning-Ferris Industries Inc., (BFI), (hereafter called the "Permittee") to clean-close a portion of the regulated landfill unit. In accordance with this permit, the Permittee is required to:

- 1) Determine the nature, extent and rate of migration of hazardous waste or hazardous constituents in soils, groundwater, surface water, subsurface gas and/or air at any solid waste management unit(s) at the facility regardless of the time waste was placed in such unit, and to develop appropriate corrective action for any such releases;
- 2) Comply with the land disposal restrictions;
- 3) Comply with any other applicable statutory or regulatory requirements imposed pursuant to HSWA.

The Permittee must comply with all the terms and conditions of this post-closure permit modification (Class 3). This post-closure permit consists of the conditions contained herein (Modules I through V), including the Attachment, and the applicable regulations contained in 40 C.F.R. Parts 124, 260 through 264, 268, and 270 as specified in the permit. Applicable regulations are those which are in effect on the date of issuance of this post-closure permit modification (Class 3), except as provided in 40 C.F.R. § 124.86(c) for RCRA permits being processed under Subparts E or F of Part 124.

A post-closure permit may be modified, however, to incorporate new regulations pursuant to 40 C.F.R. § 270.41(a)(3) and 40 C.F.R. § 270.32(c). All documents referred in the post-closure permit modification (Class 3) are incorporated into the permit by reference.

The issuance of this post-closure permit modification (Class 3) is based on the assumption that the information provided in the Permittee's Class 2 permit modification request (Attachment V) accepted as a class 3 request upon class 3 determination (Attachment VI) by EPA (hereafter referred to as the "modification request"), submitted on June 29, 1993 and all succeeding revisions and data submissions, is accurate and that the facility will be operated as specified in the modification request.

This post-closure permit modification (Class 3) is also based, in part, on the provisions of Sections 206, 207, 212 and 224 of HSWA which modify Sections 3002, 3004 and 3005 of RCRA. The Permittee's failure in the application or during the permit issuance process to disclose any fully relevant fact, or the Permittee's misrepresentation of any relevant fact at any time may be grounds for the termination, revocation and reissuance, or modification of this permit (see 40 C.F.R. §§ 270.41, 270.42 and 270.43) and potential enforcement "action. The Permittee must inform EPA of any deviation from or changes in any information submitted which would affect the Permittee's ability to comply with the applicable statutes, regulations or permit conditions.

The permit, is effective as of Draft and shall remain in effect until Draft, unless revoked and reissued, modified, or terminated in accordance with 40 C.F.R. §§ 270.41, 270.42, or 270.43, or Section 212 of HSWA, or continued in accordance with 40 C.F.R. § 270.51(a).

Conrad Simon
Director
Air and Waste Management Division
U. S. Environmental Protection Agency
Region II

Date

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PUBLIC NOTICE

U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

PUBLIC NOTICE: PN # 94-004
EPA I.D. NUMBER: PRD980594709

DATE: AUGUST 1, 1994

NOTICE OF INTENT TO ISSUE A CLASS THREE PERMIT MODIFICATION
UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) HEREBY GIVES NOTICE OF ITS TENTATIVE DETERMINATION TO ISSUE A PERMIT MODIFICATION TO THE BFI OF PONCE INC. (BFIP), AND THE MUNICIPALITY OF PONCE FOR THE LANDFILL LOCATED IN PONCE, PUERTO RICO. BFIP AND THE MUNICIPALITY OF PONCE INITIATED A CLASS 3 PERMIT MODIFICATION, IN ACCORDANCE WITH TITLE 40 OF THE CODE OF FEDERAL REGULATIONS (40 CFR) SECTION 270.42(c), TO CLEAN-CLOSE A PORTION OF THE MUNICIPAL SOLID WASTE (MSW) LANDFILL UNIT, THUS REMOVING IT FROM THE AREA COVERED BY THE CURRENT PERMIT, AND TO EXPAND THE PRESENT NON-HAZARDOUS, INDUSTRIAL LANDFILL UNIT INTO THE CLEAN-CLOSED AREA. THE EXCAVATED WASTE WILL BE RELOCATED TO AN ADJACENT PART OF THE MSW LANDFILL UNIT. EPA HAS DETERMINED THAT THIS ACTION SHALL BE SUBJECT TO PUBLIC PARTICIPATION. THIS DRAFT PERMIT WILL ALSO INCLUDE THE REQUIREMENT FOR LAND DISPOSAL RESTRICTION. EPA HEREBY REQUESTS PUBLIC COMMENTS ON THIS DRAFT PERMIT MODIFICATION.

THE PUBLIC COMMENT PERIOD FOR THIS ACTION BEGINS ON AUGUST 1, 1994 AND WILL EXTEND THROUGH SEPTEMBER 16, 1994.

FACILITY DESCRIPTION:

THE PONCE MUNICIPALITY LANDFILL IS CURRENTLY THE SITE OF OPERATION OF A NON-HAZARDOUS INDUSTRIAL LANDFILL CELL AND A MUNICIPAL SOLID WASTE (MSW) LANDFILL UNIT AT THE PONCE LANDFILL FOR THE MUNICIPALITY OF PONCE, PUERTO RICO. THE FACILITY

OPERATED IN THE EARLY 1980s AS A MSW LANDFILL WITH RCRA SUBTITLE C INTERIM STATUS. BFIP AND THE MUNICIPALITY OF PONCE WERE GRANTED A PART B POST-CLOSURE PERMIT UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) FOR CLOSURE OF THE MSW LANDFILL UNIT BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. THE PERMIT BECAME EFFECTIVE ON NOVEMBER 12, 1991, AND HAS AN EXPIRATION DATE OF NOVEMBER 12, 1996. THE PERMIT APPLIES TO THE MAJORITY OF THE APPROXIMATELY 51-HECTARE PROPERTY. ALTHOUGH CONSIDERED CLOSED UNDER THE PERMIT, THE MSW LANDFILL UNIT IS ACTIVE WITH RESPECT TO THE PUERTO RICO ENVIRONMENTAL QUALITY BOARD PERMIT FOR DISPOSAL OF MSW.

BFIP AND THE MUNICIPALITY OF PONCE INITIATED A CLASS 3, PART B POST-CLOSURE PERMIT MODIFICATION TO CLEAN-CLOSE A PORTION OF THE MSW LANDFILL UNIT, THUS REMOVING IT FROM THE AREA COVERED BY THE PERMIT. THE WASTE WILL BE RELOCATED TO AN ADJACENT PART OF THE MSW LANDFILL UNIT. BFIP AND THE MUNICIPALITY OF PONCE PLANS TO EXPAND THE PRESENT NON-HAZARDOUS, INDUSTRIAL LANDFILL UNIT INTO THE CLEAN-CLOSED AREA. THE CLEAN-CLOSED AREA WILL BE ENGINEERED AND DEVELOPED TO PROVIDE A COMPOSITE-LINED CELL FOR DISPOSAL OF NON-HAZARDOUS INDUSTRIAL WASTES.

IN GENERAL, THE MODIFICATION WILL INVOLVE EXCAVATING WASTE FROM THE AREA TO BE CLEAN-CLOSED AND RELOCATING THAT WASTE TO AN ADJACENT PART OF THE MSW LANDFILL. TO ACHIEVE CLEAN-CLOSURE, BFIP AND THE MUNICIPALITY OF PONCE WILL REMOVE ALL WASTE AND WASTE RESIDUE FROM THE AREA, INCLUDING CONTAMINATED SUBSOILS. EXCAVATION AND TESTING PROGRAMS WILL BE IMPLEMENTED, BASED ON APPROVED WORK PLANS WHICH INCLUDE DRILLING AND SOIL SAMPLING AND ANALYSIS.

NUMEROUS INVESTIGATIONS HAVE BEEN COMPLETED AT THE MSW LANDFILL TO ASSESS THE CHARACTERISTICS OF THE WASTE IN THE LANDFILL. THE REFUSE AND FILL ENCOUNTERED IN THE VARIOUS INVESTIGATIONS WAS PREDOMINANTLY MSW MIXED WITH EARTHEN COVER OF

VARYING SOIL TYPES. THE EXACT LOCATION OF NON-MUNICIPAL TYPE WASTE (HAZARDOUS WASTE) IS STILL UNKNOWN. [REDACTED]

AN ADDITIONAL GROUNDWATER MONITORING WELL WILL BE INSTALLED NEAR THE FACILITY BOUNDARY, APPROXIMATELY 160 METERS (525 FEET) SOUTHEAST OF THE EXISTING MONITORING WELL GW-8. ZERO TO FIVE METERS (16.4 FEET) OF "LANDFILL MATERIAL" UNDERLIE THE AREA OF THE NOW PROPOSED "RELOCATION AREA". THE MAXIMUM THICKNESS OF "LANDFILL MATERIAL" AT THE TIME OF PERMIT ISSUANCE WAS CENTERED IN THE NORTHWEST QUADRANT OF THE FACILITY, FAR REMOVED FROM THE PROPOSED "RELOCATION AREA" AND WAS OVER 45 METERS (148 FEET). PLACING BETWEEN 20 TO 30 METERS OF SOLID WASTE AT THE EXTREME EASTERN BOUNDARY OF THE FACILITY, ON AN AREA WHICH WAS PREVIOUSLY SHOWN TO CONTAIN MINIMAL "LANDFILL MATERIAL", WOULD TAX THE ADEQUACY OF THE PRESENT GROUNDWATER MONITORING SYSTEM. THUS THE INSTALLATION OF AN ADDITIONAL MONITORING WELL IS NEEDED TO MEASURE THE IMPACT, IF ANY, OF THE NEWLY PLACED MATERIAL.

THE PERMITTEE'S COMPLIANCE HISTORY DURING THE LIFE OF THE PERMIT IS AVAILABLE FROM THE EPA CONTACT PERSON NOTED IN THE PERMIT MODIFICATION.

PUBLIC PARTICIPATION:

THIS NOTICE SHALL INFORM THE PUBLIC THAT EPA HAS MADE A TENTATIVE DETERMINATION TO ISSUE THE PERMIT MODIFICATION DESCRIBED ABOVE. THIS PERMIT MODIFICATION CONFORMS TO THE REQUIREMENTS OF THE RCRA PROGRAM. IF, AFTER THE CONCLUSION OF THE PROCEEDINGS SUMMARIZED BELOW, THE REGIONAL ADMINISTRATOR MAKES A FINAL DECISION TO ISSUE THE PERMIT MODIFICATION, THE APPLICANT WILL BE REQUIRED TO COMPLY WITH ALL OF THE CONDITIONS IN THE PERMIT, AS MODIFIED.

WHERE TO OBTAIN ADDITIONAL INFORMATION:

THE PERMIT MODIFICATION REQUEST IS ON FILE IN THE ADMINISTRATIVE RECORD. AMONG OTHER DOCUMENTS, THE ADMINISTRATIVE

RECORD REQUIRED BY 40 CFR § 124.9, CONSISTS OF THE PERMIT MODIFICATION REQUEST, DRAFT PERMIT, AND A STATEMENT OF BASIS FOR THE PERMIT CONDITIONS. THE ADMINISTRATIVE RECORD, WITH THE EXCEPTION OF PUBLISHED MATERIAL READILY AVAILABLE AT THE EPA REGION II OFFICE, OR PUBLISHED MATERIAL WHICH IS GENERALLY AVAILABLE, IS ON FILE AT U.S. EPA REGION II, 26 FEDERAL PLAZA, NEW YORK, N.Y. 10278, AND MAY BE INSPECTED AT ANY TIME BETWEEN 8:30 a.m. TO 4:00 p.m. MONDAY THROUGH FRIDAY BY APPOINTMENT. A COPY OF THE PERMIT AND OTHER AVAILABLE INFORMATION MAY BE OBTAINED BY WRITING TO THAT ADDRESS. COPIES OF THE ADMINISTRATIVE RECORD ARE AVAILABLE AT \$0.15 PER COPY SHEET.

THE ADMINISTRATIVE RECORD IS ALSO ON FILE AT THE PUERTO RICO ENVIRONMENTAL QUALITY BOARD, LAND POLLUTION CONTROL AREA, ATTENTION: SANTOS CABRERA, LAND POLLUTION CONTROL AREA, 431 PONCE de LEON AVENUE, HATO REY, PUERTO RICO 00910, (809) 767-2817. COPIES OF THE DRAFT PERMIT ARE AVAILABLE AT THE EPA CARIBBEAN FIELD OFFICE, 1413 FERNANDEZ JUNCOS AVENUE, PARADA 20, SANTURCE, PUERTO RICO 00909, (809) 729-6843.

HOW TO SUBMIT YOUR COMMENTS:

ANY INTERESTED PERSON MAY SUBMIT WRITTEN COMMENTS ON THE DRAFT PERMIT MODIFICATION TO:

MR. ANDREW BELLINA, P.E.
CHIEF, HAZARDOUS WASTE FACILITIES BRANCH
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION II
26 FEDERAL PLAZA, ROOM 1037
NEW YORK, NEW YORK 10278,

SUBMISSIONS MUST BE POST-DATED NO LATER THAN THE LAST DAY OF THE PUBLIC COMMENT PERIOD. ALL PERSONS, INCLUDING THE APPLICANT, WHO BELIEVE THAT THIS PERMIT MODIFICATION IS INAPPROPRIATE, ARE INVITED TO RAISE ALL REASONABLY ASCERTAINABLE ISSUES AND SUBMIT ALL REASONABLY AVAILABLE ARGUMENTS AND FACTUAL GROUNDS SUPPORTING THEIR POSITION, BY THE CLOSE OF THE PUBLIC COMMENT PERIOD. ALL SUPPORTING MATERIAL MUST BE SUBMITTED IN FULL UNLESS IT IS

ALREADY INCLUDED IN THE ADMINISTRATIVE RECORD. IF THE REGIONAL ADMINISTRATOR FINDS THAT COMMENTS TIMELY SUBMITTED APPEAR TO RAISE SUBSTANTIAL NEW QUESTIONS, THE PUBLIC COMMENT PERIOD MAY BE REOPENED.

IN LIEU OF, OR IN ADDITION TO THE SUBMISSION OF COMMENTS AS PROVIDED ABOVE, ANY INTERESTED PERSON MAY REQUEST A PUBLIC HEARING. ANY REQUEST FOR A PUBLIC HEARING UNDER 40 CFR § 124.11 MUST BE IN WRITING, STATING THE NATURE OF THE ISSUES PROPOSED TO BE RAISED, AND BE SUBMITTED TO THE CHIEF, PERMIT ADMINISTRATION BRANCH, U.S. EPA REGION II, AT THE ABOVE ADDRESS POST-DATED NO LATER THAN THE LAST DAY OF THE PUBLIC COMMENT PERIOD. EPA'S DECISION ON WHETHER TO HOLD A PUBLIC HEARING ON THE DRAFT PERMIT MODIFICATION, THE ADMINISTRATION OF ANY HEARING, AND THE RIGHTS AND OBLIGATIONS OF PARTICIPANTS ARE GOVERNED BY REGULATIONS AT 40 CFR § 124.12. IF A PUBLIC HEARING IS HELD, THE PUBLIC COMMENT PERIOD SHALL BE EXTENDED TO THE CLOSE OF THE PUBLIC HEARING. IF A PUBLIC HEARING IS NOT HELD OR IF THE PUBLIC COMMENT PERIOD IS NOT REOPENED, EPA SHALL PROCEED TO FINALIZE THE PERMIT MODIFICATION AS SOON AS POSSIBLE AFTER THE END OF THE PUBLIC COMMENT PERIOD.

ALL COMMENTS TIMELY SUBMITTED BY INTERESTED PERSONS IN RESPONSE TO THIS PUBLIC NOTICE, AND STATEMENTS AND OTHER EVIDENCE PROPERLY SUBMITTED AT ANY PUBLIC HEARING ON THIS PERMIT CONDITION SHALL BE CONSIDERED BY THE REGIONAL ADMINISTRATOR IN MAKING THE FINAL DECISION WITH RESPECT TO THIS PERMIT MODIFICATION. AS REQUIRED UNDER 40 CFR § 124.17, EPA WILL RESPOND TO ALL TIMELY SUBMITTED COMMENTS RECEIVED ON THIS PERMIT CONDITION, AND SAID RESPONSES WILL BE PLACED IN THE ADMINISTRATIVE RECORD. THE APPLICANT AND ANY PERSON WHO SUBMITS TIMELY WRITTEN COMMENTS OR REQUESTS NOTICE OF THE FINAL PERMIT MODIFICATION DECISION SHALL RECEIVE NOTICE OF THE REGIONAL ADMINISTRATOR'S FINAL DECISION.

LEGAL REFERENCES FOR THIS PROPOSAL:

SOLID WASTE DISPOSAL ACT, AS AMENDED BY THE RESOURCE
CONSERVATION AND RECOVERY ACT (RCRA) AND THE HAZARDOUS AND SOLID
WASTE AMENDMENTS OF 1984 ("HSWA"), (42 U.S.C. §§ 6901 et. seq.).
RELEVANT REGULATIONS FOR THIS PERMIT MODIFICATION ARE IN 40 CFR
Parts 124, 264, 268, and 270.

ANDREW BELLINA, P.E.

CHIEF, HAZARDOUS WASTE FACILITIES BRANCH

20
FEB 14 1994

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Crumley, P.E.
Regional Landfill Compliance Manager
BFI of Ponce, Inc.
8607 Roberts Drive Suite 100
Atlanta, Georgia 30350

Re: BFI Ponce, Inc.
Ponce Municipal Landfill, Ponce, Puerto Rico
Class 3 Permit Modification Follow-Up
RCRA Permit No.: PRD980594709

Dear Mr. Crumley:

The United States Environmental Protection Agency (EPA) Region II has reviewed your letter dated December 17, 1993 addressing EPA's comments to the permit modification request. The letter provided information questioning the necessity for an additional groundwater monitoring well and established the condition under which the facility would install such a well. The letter also addressed concerns related to the permitting process time line developed by EPA.

EPA requires that an additional groundwater monitoring well be installed near the facility boundary, approximately 160 meters (525 feet) southeast of the existing monitoring well GW-8. EPA approved the present groundwater monitoring system based on the information supplied by BFI in 1990 (refer to enclosed "Isopachs of Landfill Thickness"), which showed between zero and 5 meters (16.4 feet) of "landfill material" to underlay the area of the now proposed "relocation area". The 1990 isopach map showed the maximum thickness of "landfill material" (over 45 meters, i.e. 148 feet) to be centered in the northwest quadrant of the facility, far removed from the proposed "relocation area". Placing between 20 to 30 meters of solid waste at the extreme eastern boundary of the facility, on an area which was previously shown to contain minimal "landfill material", impacts the adequacy of the present groundwater monitoring system. Therefore, EPA requires the installation of the additional monitoring well.

BFI should also ensure that the integrity of the existing downgradient groundwater monitoring well GW-8 not be affected by the relocated wastes. From figure A-3 of the permit modification request document, it is obvious that relocated wastes will be placed around the monitoring well.

With regard to the permitting process time line, the agency has already compressed the permit issuance schedule in response to your concerns raised at previous meetings. We will attempt to condense the scheduling even further but we cannot commit to any further decrease at this time.

Our original schedule did not include an additional submittal of comments and concerns from BFI. This submittal has delayed the project by several weeks from the original timeline. To avoid any further delay in proceeding with the permit modification, please respond within fifteen days of the date of this letter and if you have any questions, call me at (212) 264-0504 or Ernst Jabouin of my staff at (212) 264-8682.

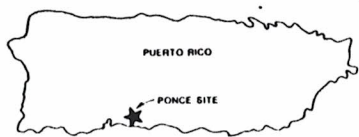
Sincerely yours,

Andrew Bellina, P.E.
Chief, Hazardous Waste Facilities Branch

Enclosure

cc: Mr. Santos Cabrera, Environmental Quality Board, w/o encl.
Mr. Carl Axel Soderberg, Caribbean Field Office, w/o encl.

bcc: Andrew Bellina, 2AWM-HWF, w/encl.
Joseph Clore, 2OPM-ISS, w/encl.
Michael Poetzsch, 2AWM-HWF, w/encl.
Ernst Jabouin, 2AWM-HWF, w/encl.
Timothy Gordon, 2AWM-HWF, w/encl.



LOCATION MAP

SITE NAME: PONCE MUNICIPAL SANITARY LANDFILL
 DATE OF FLIGHT: 11/9/89
 MAP SCALE: 1:2000
 CONTOUR INTERVAL: 1 METER
 COORDINATE SYSTEM: LAMBERT SYSTEM
 ELEVATION DATA: MEAN SEA LEVEL
 MAPPING BY: LOWE ENGINEERS, INC.
 FIELD WORK BY: B.F.I.

N 10,000

N 10,000

N 10,000

N 10,000

N 10,000

1:10,000

1:10,000

1:10,000

1:10,000

1:10,000

FILE NO. 883-3843

BFI OF PONCE, INC.			
ISOPACHS OF LANDFILL THICKNESS			
DATE	AS SHOWN	DATE	8/30/90
BY	CD	DATE	8/30/90
Golder Associates		DATE	8/30/90
ATLANTA, GEORGIA		DATE	8/30/90

WASTE RELOCATION AREA

EXCAVATION FOR CLEAN CLOSURE

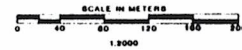
LEGEND

- 100 TOPOGRAPHIC CONTOUR - 1 METER INTERVALS
- SITE BOUNDARY
- APPROXIMATE BOUNDARIES OF LANDFILL
- 5 ISOPACHS OF LANDFILL THICKNESS 5m INTERVALS

NOTES:

- LANDFILL INCLUDES BOTH WASTE AND SOIL FILL.
- LANDFILL LIMITS REVISED USING TEST PIT DATA, APRIL 1990 RFA SOIL INVESTIGATIONS REPORT.

DRAFT



20
U.S. EPA
AGENCY RO II

94 MAR 29 PM 12:19

INFO. SERV. SEC.

MAR 24 1994

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Marina Liacouras Bouley
Attorney At Law
BFI of Ponce, Inc.
562 Gulph Road
Wayne, PA 19087

Re: BFI Ponce, Inc.
Ponce Municipal Landfill, Ponce, Puerto Rico
Revised Class 3 Permit Modification Timetable
RCRA Permit No.: PRD980594709

Dear Ms. Bouley:

The United States Environmental Protection Agency (EPA) Region II has received your letter accepting EPA's determination that an additional groundwater monitoring well be installed near the facility boundary, approximately 160 meters (525 feet) southeast of the existing monitoring well GW-8. During your visit to EPA on March 7, 1994, a copy of the site map with indication as to where the well should be located was provided to you.

The additional submittal of comments and concerns from BFI's letter dated December 17, 1994 was not addressed in the original permitting schedule submitted to BFI on November 23 1994. As a result, we have revised the schedule accordingly. Enclosed is the revised Class 3 Permit Modification Timetable.

If you have any questions, please contact Ernst Jabouin, of my staff, at (212) 264-8682.

Sincerely yours,

Original signed by
Conrad Simon

Conrad Simon, Director
Air and Waste Management Division

Enclosure

cc: Santos Cabrera, EQB w/encl.
Carl Axel Soderberg, CFO w/encl.

PE94-03/29/94

PRD 980594709

bcc: Conrad Simon, 2AWM w/encl.
Andrew Bellina, 2AWM-HWF w/encl.
Joseph Clore, 2OPM-ISS w/encl.
Michael Poetzsch, 2AWM-HWF w/o encl.
Ernst Jabouin, 2AWM-HWF w/o encl.

CLASS III PERMIT MOD TIMELINE

March 7, 1994

'93

'94

JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

- * Mod. request (6/29)
- * EPA Comments on Draft Class 2 outline (7/1)
- ██████████ 60 day Comment period begins (7/6)
- * PN (7/8)
- * Public meeting (8/3)
- * EPA Letter requesting evidence of mailing public notice (8/10)
- * EPA Response (Cls 3 determination) (9/20)
- * BFI/EPA meeting (10/8)
- * EPA Request addl GW info(10/8)
- * BFI Draft GW letter received (10/12)
- ██████████ EPA review of Preliminary draft GW Letter from BFI
- *EPA staff meeting on BFI (11/4)
- *EPA's informational letter to BFI with Class 3 Timetable (11/23)
- *BFI's response questioning EPA request for one additional well (12/28)
- ██████████ EPA review of BFI GW Detection Monitoring System
- *EPA's letter reaffirming need for the additional well(2/14)
- *BFI's response accepting the addition of one more well(3/2)
- *EPA decides on BFI response
- *EPA issue to BFI a revise Class 3 Timetable()
- ██████████ Prepare Draft permit
- ██████████ ORC Review
- ██████████ Incorporate comments
- ██████████ 30 days public hearing from PN
- ██████████ 45 Day public comment on PN
- ██████████ Responsiveness summary
- ██████████ Prepare final permit
- ██████████ Concurrence
- ██████████ ORC Review
- ██████████ Complete final permit
- ██████████ Issue Final Permit

PIE 95-03/03/95 20
PRD 980594709

Marina Liacouras Bouley
Attorney-at-Law
562 Gulph Road
Wayne, PA 19087

March 3, 1995

Mr. Conrad Simon
Director, Air and Waste Management Division
U.S. Environmental Protection Agency--Region II
290 Broadway
New York, NY 10007-1866

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Class 3 Permit Modification
Ponce Municipal Landfill
Ponce, Puerto Rico
EPA No. PRD 980594709

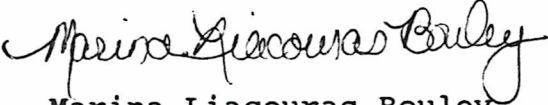
Dear Mr. Simon:

As discussed in a telephone conversation with Mr. Andrew Bellina on February 28, BFI of Ponce, Inc. (BFIP) and the Municipality of Ponce hereby withdraw their request for a modification of the post-closure permit, EPA No. PRD 980594709, for the Ponce Municipal Landfill. The Landfill will continue to operate in accordance with the terms of the existing permit.

Pursuant to the withdrawal of the modification request, the public hearing scheduled for March 9 is no longer necessary. Due to the short time before the public hearing, BFIP will take the responsibility for publishing notice of the cancellation of the hearing to all parties on the mailing list for the permit including Beveridge & Diamond, the law firm that commented on the Draft Permit Modification, and for making the public announcement in the newspaper and on the radio.

BFIP appreciates the time and effort that you and all the members of your staff have given to the consideration of this permit modification. We look forward to continuing cooperation with the Agency during the remainder of the term of this permit.

Very truly yours,


Marina Liacouras Bouley

cc:

U. S. Environmental Protection Agency, Region II
Hazardous Waste Facilities Branch
Air and Waste Management Division
26 Federal Plaza
New York, New York 10278

(Certified Mail)

U. S. Environmental Protection Agency, Region II
Hazardous Waste Facilities Branch
File Management/Administrative Record
Air and Waste Management Division
26 Federal Plaza
New York, New York 10278
Attn: Mr. Joseph Clore

(Certified Mail)

U. S. Environmental Protection Agency, Region II
Caribbean Field Office
1413 Fernandez Juncos Ave.
Sanjurjo, Puerto Rico 00909

(Certified Mail)

Commonwealth of Puerto Rico
Environmental Quality Board
431 Ponce de Leon Avenue
Hato Rey, Puerto Rico 00910
Attn: Land Pollution Control Area

(Certified Mail)

Mayor Rafael Cordero Santiago
Gobierno Municipal de Ponce
Oficina del Alcalde
Ponce, Puerto Rico 00731

(Certified Mail)

Director Legal Division
Municipality of Ponce
Box 1709
Ponce, Puerto Rico 00733

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